

FILED - USDC-NH  
197 OCT 16 PM 2:15

**U.S. District Court**  
**District of New Hampshire**

Janet DelFuoco

Plaintiff

V.

NH Attorney General et al

CASE 1:19-cv-01245

Richard Tracey

Defendant

**Motion for Reconsideration of Dismissal**

**Introduction**

The plaintiff, Janet DelFuoco come forth to ask for a reconsideration of dismissal made on the 22nd of September, 2020 on all dismissals.

Under constitutional law 42 U.S.C. § 1983, the plaintiff has the legal right to hold a party including and not limited to a government body for deprivation of rights. In the decision by Honorable Magistrate Judge, Andrea K. Johnstone reviewed a motion that proved my constitutional rights of 1,4 constitutional rights have been violated. Plaintiff, Janet DelFuoco not only stated a claim but provided proof of evidence that the A.G. office including Richard Tracey gathered evidence that had nothing to do with said charges and even had multiply of the same dialogue in a different format. Ms. Delfuoco also proved she suffered not only mentally but physically and defamation from the press before even being found guilty from these charges and claims that led to a trial in which she was found not guilty. A claim has been set.

1:19-cv-01245-JD

## FACTS

Plaintiff, Janet DelFuoco wrote a facebook post on her own page on a Sunday afternoon after facing yet another arrest for her son trying to see her and just receiving notice that a superior court clerk emailed her a decision instead of sending it the traditional way of mail in which she was accustomed to. That decision was sent to her junk mail in which then forfeit her time and legal right to appeal to a Supreme Court appeal (also illegally done by the clerk). On that day Ms. DelFuoco was begging her higher power to come forth and give her strength for all the wrong doings of Granite state credit union, her ex husband and a court that was favoring an abusive ex husband and not helping her. She wrote a post about Karma. If this post was read, was done by very few people except for one Jody Dushman. who was hired to watch her every move for the last few years. Granite State Credit Union had broken state laws of banking but was covering them up through bullying and threatening to Ms. DelFuoco in many ways, not limited to trying to put a restraining order of gag on her, (They lost).

Ms. Delfuocos due diligence to stay within the law in superior court was blocked in so many ways that to express her faith in Karma in writing is not against the law. As a matter of fact is protected by the first amendment of freedom of religion and speech. The next day a Richard Tracey investigator for the New Hampshire Attorney General office called her and told her someone had seen the post and given it to him. He led her to believe it was her ex husband and wouldn't give her the truth that it was indeed Granite State Credit Unions attorney, Clifford Gallant.

\* Ms. DelFuoco has included this interview with her evidence package in her last motion, in which the federal judge never acknowledged.

Within this interview Ms. DelFuoco clearly stated it was within her religion and not a threat on any means and never viewed it as such, Mr. Tracey never led her to believe it was a threat either and actually listened about what the court had done and her former husband. \* All in the interview, if the court would like Ms. DelFuoco has copies of the interview on tape if it pleases the court to listen to.

It took a year of investigation for charges to be brought forth, a year? Let's look at the evidence about this and the parties.

a. Judge Weaver saw Ms. DelFuoco again for a name change for her son, she asked for another judge, he declined.

B. Judge Anderson saw Ms. Delfuoco over 20 times within that year still preceding on her case and making decisions never once feeling threatened. (he even stated that in court).

19-cv-01245-JD

C. Even after being arrested and charged, a full page true story came to light from Fosters daily Democrat, Brian Early. Right after her pre trial the Judge, Judge Howard sent out a letter moving the trial to another four months after being out on bail for a year. Stating she is not a true threat or problem and is living life normally and can wait for her trial. MY own trial judge didn't see me as a threat.

- This now makes almost two years from the post originally written.
- During the trial the prosecution was setting up the stage to have their witnesses say things in such a way it was opinion and not fact, such a thing that Dick Tracey also did with the search warrants. I challenge the N.H. A.G. to show me where it says I said "witch craft causes death". No real practicing Wiccan believes in such a Disney low I.Q. theme as such a saying or fact.
- It also now brings to light on the real question and reason on why the search warrants were kept secret because of this to obtain them by Richard Tracey and the fact it also led to watching others on Janet's page.
- With the evidence I have and submitted to the court it's very apparent that all claims have been listed, its clear constitutional rights have been broken and the court shall do its due diligence and uphold the rights of the plaintiff.

## CONCLUSION

The ongoing issue of freedom of speech and religion has been long standing with the United States Supreme court. But, When A person is tried because of an injustice to hide the real criminal act between a Local Credit union, Granite State Credit Union of Manchester and two superior court Judges who also didn't follow the color of law it is up to a federal court to make sure all constitutional rights are upheld and due process is followed no matter the judges opinion on a religion or speech. The facts are facts and were proven the abuse of power and a malicious trial was held in Strafford Superior court leading to a "not guilty "plea. For a plaintiff to be Pro-se and prove this in a felony charge should speak volumes of lack of evidence and proven fact the Plaintiff was able to get everyone to tell the truth after the prosecution set up their witnesses to lie under oath. ( in which is also ILEGAL). Federal court heard something very similar in 2018, *Robert Frese, v. Gordan MacDonald*. 1:18-cv-01180-JL.

19-01245-JD

This cases states very cleary freedom of speech rights and Criminal defamation laws and was heard. So this wiccan who is also the plaintiff has to wonder if the higher court is also not looking at freedom of religion and thinking guilty is guilty because it was said about a cut of their own cloth. In which is breaking constitutional rights of due process for the plaintiff.

### **RELIEF REQUESTED**

WHEREFORTH, the plaintiff Janet DelFuoco respectfully request that this Court;

A. constitutional rights were not applied to Ms. DelFuoco,

\* right to privacy was broken

\*malicious prosecution was used in a trial

B. Award the Plaintiff a trial of mediation to settle this dispute for physical, emotional and public humiliation and defamation of character for a monetary settlement. An offer from plaintiff is \$10 million dollars. Because f the Google app and questions on Job application in which the plaintiff holds her job, these charges even though found not guilty have led to restraint of jobs. Also public humiliation when people Google her name. The state made the plaintiff look like a wiccan under the house, not the wiccan in the pink dress and that is very unfair and defamation of character and character assassination.

C. a federal investigation towards the A.G. of N.H. and its employees and their link with G.S.C.U. and R.I.C.C.O laws, the judges and procedure of Rockingham superior court and Granite state credit union themselves for breaking federal and state laws and not being held responsible by the state banker commissioner and A.G. office.

D. to review the Motion sent before the judge ruled to dismiss because the Judge ruled before receiving it.

E. Grant such other and further relief as this Court deems just and proper in the circumstances.

Respectfully submitted,

Janet DelFuoco

- Copy sent to the New Hampshire Attorney general office.



Janet M Delfuoco  
259 Bow St.  
Northwood, NH 03261



U.S. District Court  
District of NH  
55 Pleasant St #110  
Concord NH  
03301